

M. Michael Rounds
Governor

Tim Johnson
United States Senator

Tom Daschle
United States Senator

March 26, 2004

The President
The White House
Washington, DC 20500

Dear Mr. President:

Unfortunately, as you know, the Missouri River Master Water Control Manual was finalized on Friday, March 19, and the Record of Decision has now been signed. We remain concerned that the "new" Master Manual and this year's Annual Operating Plan do not adequately address South Dakota's interests.

In the 2000 Biological Opinion, the 2003 Amended Biological Opinion, and a letter to the Corps dated March 18, the U.S. Fish and Wildlife Service clearly articulated the need for a spring rise and low summer flows on the Missouri River. However, the Corps has gone back to the Fish and Wildlife Service, as it has time and time again, asking for a second opinion. The Corps continues to ignore the Service's direction, and makes no determination on flow changes in the Master Manual, calling instead for "further studies" on the matter.

This uncertainty over water levels in the Master Manual leaves upstream states in the same position they have been for years, fighting annual battles for their fair share of river water in the Annual Operating Plan (AOP). In fact, the Master Manual and the 2004 Annual Operating Plan do not provide any assurances that there will be sufficient water to hold the reservoirs steady this spring, which would threaten the spring fish spawn. Navigation interests downstream, however, have been given guarantees there will be enough water for their operations – even though the two major barge shippers will not be on the river this year. Upstream states deserve fair and equitable treatment when it comes to management of the river, and in this regard the Master Manual and AOP are severely lacking. This has compelled the state of South Dakota to ask a federal judge to ensure the Corps provides the water necessary to maintain the reservoirs this spring.

The Corps has had 14 years to resolve this issue, and we are disappointed that South Dakotans are now being asked to wait even longer before the appropriate policy is even considered and upstream states are given the stability and predictability accorded the barge industry. The science is clear and we can see no justification for any further delay. The Corps simply cannot keep going back to the Fish and Wildlife Service until it gets an answer it likes.

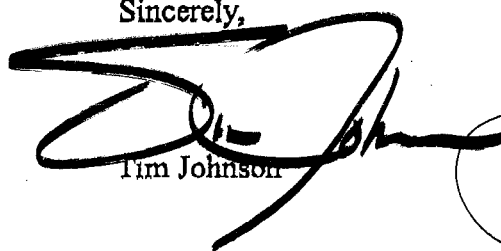
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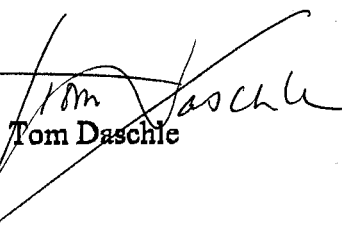
In this case, the facts are clear – flow changes and specific water conservation measures in upper basin reservoirs are necessary to improve the health of the Missouri River and bring common sense to river management. We request your assistance in this matter, and ask that you direct the Corps of Engineers to implement flow changes on the Missouri River to provide equal treatment to upstream uses of water to support fish and wildlife, recreation, municipal water supply, and irrigation needs.

Thank you for your attention to this matter.

Sincerely,


M. Michael Rounds


Tim Johnson


Tom Daschle